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May 31, 2002

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Commissioner for Patents
Washington, D.C. 20231

Art Unit 1633

Re: U.S. Utility Patent Application
Appl. No. 10/035,216; Filed: January 4, 2002
For: **Viral Delivery System for Infectious Transfer of Large
Genomic DNA Inserts**
Inventors: Chiocca *et al.*
Our Ref: 0609.5050005/JAG/KRM/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement;
2. Listing of the cited document on Form PTO-1449 (1 sheet);
3. A copy of the one (1) cited document on Form PTO-1449; and
4. Return postcard.

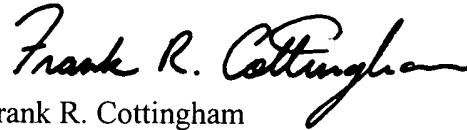
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
May 31, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

FRC/pcd
Enclosures

18892.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHIOCCA *et al.*

Appl. No. 10/035,216

Filed: January 4, 2002

For: **Viral Delivery System for
Infectious Transfer of Large
Genomic DNA Inserts**

Confirmation No. 3452

Art Unit: 1633

Examiner: *To be assigned*

Atty. Docket: 0609.5050005/JAG/KRM/FRC

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First Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on April 26, 2002 in connection with the above-captioned application. A copy of the document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

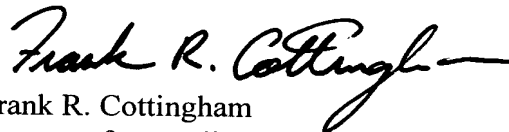
Consideration of the cited document and making the same of record in the prosecution of the above-identified application is respectfully requested.

This First Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham
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Date: 5/31/02

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FORM PTO-1449

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

ATTY.' DOCKET NO.
0609.5050005/JAG/KRM/FRCAPPLICATION NO.
10/035,216APPLICANT
CHIOCCA *et al.*FILING DATE
01/04/2002GROUP
1633

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>34</u>	
	AS	<u>34</u>	
	AT	<u>34</u>	Stavropoulos, T.A. and Strathdee, C.A, "An Enhanced Packaging System for Helper-Dependent Herpes Simplex Virus Vectors," <i>J. Virol.</i> 72:7137-7143, American Society for Microbiology (1998).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.